

REMARKS

STATUS OF CLAIM

Claims 1-10 are pending.

Claims 1-5 and 7-10 are rejected under 35 USC 102(e) as being anticipated by Stefik (US Patent no. 5,715,403).

Claim 6 is rejected under 35 USC 103(a) as being unpatentable over Stefik in view of well-known feature.

Therefore, claims 1-10 remain pending for reconsideration, which is respectfully requested. No new matter is added in this response.

REJECTIONS

STEFIK

Claims 1-5 and 7-10 are rejected under 35 USC 102(e) as being anticipated by Stefik (US Patent no. 5,715,403). Stefik was first cited and not relied upon in the previous Office Action mailed November 1, 2002, discussed in the previous Amendment filed February 28, 2003, and also discussed in the previous Office Action mailed May 19, 2003. In particular, the previous Office Action of May 19, 2003, page 12, alleged that "devolution" and "devolving" is old and well known based upon Stefik and Pinard.

The rejected independent claims are 1 and 8-10.

Stefik discloses a system for controlling use and distribution of digital works. Stefik discloses attaching usage rights to a digital work. Stefik also discloses that digital works and their attached usage rights are stored in repositories and digital works are transmitted between repositories. Repositories interact to exchange digital works according to a predetermined set of usage transaction steps. Stefik, column 4, lines 5-14 and 40-49. Stefik, column 11, lines 64-67 and column 34, line 40 to column 35, line 32 discuss digital work copying and transferring. The Office Action relies on Stefik's discussion of repositories and communication integrity based upon encryption between the repositories (see, Stefik, column 12, line 51 to column 17, line 3 and FIG. 12, which are relied upon in the Office Action on page 3), for being similar to the claimed present invention's, "first storage medium," "second storage medium," "media ID" thereof, "first encryption secure information ... with the first media ID," "second encryption secure information with the second media ID," and "storage medium accessing means" for accessing the first and second storage media. According to claimed present invention, the "storage

medium accessing unit" (e.g., claim 9) can be software and/or programmable computing hardware that accesses storage media.

In particular, the Office Action suggests that Stefik's repository shown in FIG. 12, including an associated identifier (column 13, lines 60-67), is same as the claimed present invention's, "first storage medium," "second storage medium," and "media ID" thereof. However, in Stefik, a repository is a computer as shown in FIG. 12, which differs from the claimed present invention's storage media. In other words, Stefik discusses computer systems in communication with each other (column 13, lines 20-33) to exchange digital works. However, Stefik's system configuration clearly differs from the claimed present invention's "license devolution apparatus" that has a **"storage medium accessing means for accessing a first storage medium ... and accessing a second storage medium."** In other words, Stefik does not contemplate an apparatus that accesses two different repositories, but in Stefik the repositories are computers that transmit digital works.

Further, Stefik discusses communication integrity via encryption (column 13, lines 21-33 and column 27, lines 15-21, as relied upon by the Office Action), however, communication integrity differs from the claimed present invention's,

storage medium accessing means for accessing a first storage medium storing contents encrypted with a predetermined key, storing a first media ID identifying the first storage medium, and **storing a first encryption secure information generated by encrypting the key and a first license information that represents a right to use the contents, together with one another or individually, with the first media ID**, and accessing a second storage medium storing a second media ID identifying the second storage medium; ... (e.g., claim 1, emphasis added)

In other words, in contrast to Stefik, in the claimed present invention "first encryption secure information" based upon "the first media ID" protects "first license information," which differs from encrypting transmission of digital work.

Further, Stefik in column 13, lines 60-67, which is relied upon by the Office Action, discusses "a repository identifier." However, the claimed present invention's concept of "media ID" differs from Stefik's identifier associated with a computer, and Stefik in column 13, lines 60-67 fails to discuss using the "repository identifier" for encryption. In other words, Stefik fails to disclose or suggest generating the claimed present invention's, "first encryption secure information generated by **encrypting the key and a first license information that represents a right to use the contents, together with one another or individually, with the first media**

ID.” Therefore, Stefik cannot anticipate the claimed present invention, because Stefik fails to disclose or suggest every element of independent claims 1 and 8-10 and withdrawal of the anticipatory rejection and allowance of the present application is respectfully requested.

Also, Stefik in column 27, lines 16-24 and 45-67, for “session initiation transactions” between repositories discloses, “Referring to FIG. 16, repository-1 first generates an encrypted registration identifier, step 1601, and then generates a registration message, step 1602. ... The registration identifier is a number generated by the repository for this registration.” Therefore, the “registration identifier” of Stefik also differs from the claimed present invention’s, “media ID.” Also, Stefik, in column 28, lines 3-15 and 34-65, discloses using a private-public key mechanism to decrypt the identification certificate and extract the repository identifier. Therefore, Stefik uses private-public key encryption technique in protecting communication between the repositories, but fails to disclose or suggest using its repository identifier for encryption. In other words, Stefik fails to disclose or suggest generating the claimed present invention’s:

1. (PREVIOUSLY PRESENTED) A license devolution apparatus, comprising:

storage medium accessing means for accessing a first storage medium storing contents encrypted with a predetermined key, storing a first media ID identifying the first storage medium, and storing first encryption secure information generated by ***encrypting the key and a first license information that represents a right to use the contents, together with one another or individually, with the first media ID, and accessing a second storage medium*** storing a second media ID identifying the second storage medium;

decoding means for decoding the first encryption secure information stored in said first storage medium by reading the first media ID and using the first media ID to obtain the key and the first license information; and

encryption means for reading the second media ID and encrypting the key and ***a second license information that represents a second right to use the contents devolved from the first license information stored on the first storage medium by passing down the first license information of the first storage medium to the second storage medium as a successor of the first storage medium and degenerating the first license information in the first storage medium, together with one another or individually, with the read second media ID, to generate a second encryption secure information with the second media ID for storage in said second storage medium*** (e.g., claim 1).

Stefik fails to disclose or suggest the claimed present invention's idea of devolving a license and protecting the devolved license information using a media ID of a transferee (licensee) that will be storing the devolved license information. In contrast to Stefik, claim 1 recites: "**generate a second encryption secure information with the second media ID for storage in said second storage medium.**" More particularly, Stefik fails to disclose, suggest, or contemplate devolving a received license to another user by providing, "**a second license information ... devolved ... by passing down the first license information of the first storage medium to the second storage medium as a successor of the first storage medium and degenerating the first license information in the first storage medium,**" and using **media IDs** of the first and second storage media for respective first and second "encryption secure information" of the storage media. In contrast to Stefik, the claimed present invention as recited in independent claims 1, 8, 9, and 10, has a benefit of allowing electronic information devolution, or legal copying of content, using **media IDs of transferor and transferee**, between any two storage media.

Therefore, Stefik cannot anticipate the claimed present invention, because Stefik fails to disclose or suggest every element of independent claims 1 and 8-10 and withdrawal of the anticipatory rejection and allowance of the present application is respectfully requested.

Further, Stefik fails to disclose or suggest the claimed present invention as recited in dependent claim 8 and independent claim 10, because Stefik's repository described in FIG. 12 and column 14, lines 14-37 and relied upon by the Examiner, discusses a computer having multiple storage mediums. However, Stefik fails to disclose or suggest a single repository performing license devolution by having "a devolving unit." In other words, FIG. 12 of Stefik and description thereof does not show the claimed present invention's,

a devolving unit **reading the second storage ID and devolving the right to use the contents of the first storage unit to the second storage unit** by generating a second license information, which represents a second right to use the contents devolved from the first license information stored on the first storage unit by passing down the first license information of the first storage medium to the second storage medium as a successor of the first storage medium and reducing the first license information in the first storage medium according to the passing down, and encrypting the key and the second use information with the second storage ID to generate a second encryption secure information stored in said second storage unit (independent claim 10, emphasis added).

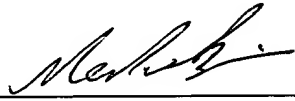
In view of the remarks, withdrawal of the rejection of pending claims and allowance of pending claims is respectfully requested.

CONCLUSION

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Respectfully submitted,
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